

## **REMARKS/ARGUMENT**

2) Claims 1, 4, 7, 11, 14, 16, 18-19, 27, 30, 33, 35-36, 41 and 44 stand rejected under 35 U.S.C. 102(e) as being anticipated by Gray, US patent, 6,268,788. Applicants respectfully traverse this rejection as set forth:

In order that the rejection of Claims 1, 4, 7, 11, 14, 16, 18-19, 27, 30, 33, 35-36, 41 and 44 be sustainable, it is fundamental that "each and every element as set forth in the claims be found, either expressly or inherently described, in a single prior art reference." Verdegall Bros. v. Union Oil Co. of California, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). See also, Richardson v. Suzuki Motor Co., 9 USPQ2d 1913, 1920 (Fed. Cir. 1989), where the court states, "The identical invention must be shown in as complete detail as is contained in the ... claim".

Furthermore, "all words in a claim must be considered in judging the patentability of that claim against the prior art." In re Wilson, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970).

Independent Claim 1, as amended, requires and positively recites, a method of securing access to resources in a computing device, comprising the steps of: **"generating a random number on-chip during production of the computing device, such that the value of the random number generated on-chip is not known to anyone"**, **"storing said random number in permanent memory in the computing device"**, **"using the random number to generate an encrypted access code"**, "storing the encrypted access code in a memory location within the computing device", "receiving a password to access the resources", "encrypting the password to produce a encrypted password", "comparing the encrypted password to the encrypted access code", "allowing access to the resources

if the encrypted access code matches the encrypted password”.

Independent Claim 7, as amended, requires and positively recites, a computing device comprising: **a permanent memory for storing a random number generated on-chip during production of the computing device, such that the value of the random number is not known to anyone**”, “processing circuitry coupled to the **permanent** memory”, “**a memory coupled to the processing system for storing an encrypted access code generated using the random number**”, “input circuitry coupled to the processing system for receiving a password to access resources”, “wherein the processing circuitry: encrypts the password to produce a encrypted password; compares the encrypted password to the encrypted access code; allows access to the resources if the encrypted access code matches the encrypted password”.

The above new highlighted limitations of Claims 1 & 7 are not taught or suggested in Gray. Accordingly, Gray fails to teach or suggest all of the limitations of Claims 1 and 7. Accordingly, the 35 U.S.C. 102(e) rejection of Claims 1 & 7 is overcome.

Claims 4, 11, 14, 16, 18-19, 27, 30, 33, 35-36, 41 and 44 stand allowable as depending directly or indirectly from allowable Claims 1 and 7, respectively.

2) Claims 29 and 46 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Gray and Lohstroh et al, US patent 5,768,373. Applicants respectfully traverse this rejection as set forth below.

Claim 29 further defines the method of claim 1 wherein the encrypted password is **of a different length than the received password**. Even if, arguedo, Lohstroh teaches

“using hashing to reduce a large block of data to a smaller block of data”, as suggested by Examiner, Lohstroh fails to teach or suggest the previously deficiencies of Gray with respect to Claim 1. As such, any combination of Gray and Lohstroh fails to teach or suggest all of the limitations of Claim 29.

Claim 46 further defines the computing device of claim 7 wherein the encrypted password **is of a different length than the received password**. Even if, arguendo, Lohstroh teaches “using hashing to reduce a large block of data to a smaller block of data”, as suggested by Examiner, Lohstroh fails to teach or suggest the previously deficiencies of Gray with respect to Claim 7. As such, any combination of Gray and Lohstroh fails to teach or suggest all of the limitations of Claim 46

In proceedings before the Patent and Trademark Office, “the Examiner bears the burden of establishing a prima facie case of obviousness based upon the prior art”. *In re Fritch*, 23 USPQ2d 1780, 1783 (Fed. Cir. 1992) (citing *In re Piasecki*, 745 F.2d 1468, 1471-72, 223 USPQ 785, 787-88 (Fed. Cir. 1984). “The Examiner can satisfy this burden **only by showing some objective teaching in the prior art or that knowledge generally available to one of ordinary skill in the art would lead that individual to combine the relevant teachings of the references**”, *In re Fritch*, 23 USPQ2d 1780, 1783 (Fed. Cir. 1992)(citing *In re Fine*, 837 F.2d 1071, 1074, 5 USPQ2d 1596, 1598 (Fed. Cir. 1988)(citing *In re Lahu*, 747 F.2d 703, 705, 223 USPQ 1257, 1258 (Fed. Cir. 1988)).

Moreover, it is impermissible to use the claimed invention as an instruction manual or “template” to piece together the teachings of the prior art so that the **claimed invention is rendered obvious**. *In re Gorman*, 933 F.2d 982, 987, 18 USPQ2d 1885, 1888 (Fed.Cir.1991). See also *Interconnect Planning Corp. v. Feil*, 774 F.2d 1132, 1138, 227 USPQ 543, 547 (Fed.Cir.1985).

Furthermore, "all words in a claim must be considered in judging the patentability of that claim against the prior art." *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970). Accordingly, Claims 2, 3, 8, 9, 27 and 46 are patentable under 35 U.S.C. § 103(a) over Gray in view of Lohstroh.

3) Claims 14, 25, 31 and 42 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Gray in view of Reddy, US patent 6,824,051. Applicants respectfully traverse this rejection as set forth below.

Claim 14 further defines the method of claim 13, wherein the processing system is **a baseband processing system**. Even if, arguendo, Reddy teaches "a PDA embodiment", Reddy fails to teach or suggest the previously deficiencies of Gray with respect to Claim 1 (claim from which Claim 14 ultimately depends). As such, any combination of Gray and Reddy fails to teach or suggest all of the limitations of Claim 14.

Claim 25 further defines the method of claim 24, further including **a radio frequency (RF) system** coupled to the processing system. Even if, arguendo, Reddy teaches "a PDA embodiment", Reddy fails to teach or suggest the previously deficiencies of Gray with respect to Claim 1 (claim from which Claim 25 ultimately depends). As such, any combination of Gray and Reddy fails to teach or suggest all of the limitations of Claim 25.

Claim 31 further defines the computing device of claim 30 wherein the processing system, the memory and the input/output comprise **a baseband processing system**. Even if, arguendo, Reddy teaches "a PDA embodiment", Reddy fails to teach or suggest the previously deficiencies of Gray with respect to Claim 7 (claim from which Claim 31

ultimately depends). As such, any combination of Gray and Reddy fails to teach or suggest all of the limitations of Claim 31.

Claim 42 further defines the computing device of claim 41, further including a **radio frequency (RF) system coupled to the baseband processing system**. Even if, arguendo, Reddy teaches "a PDA embodiment", Reddy fails to teach or suggest the previously deficiencies of Gray with respect to Claim 7 (claim from which Claim 42 ultimately depends). As such, any combination of Gray and Reddy fails to teach or suggest all of the limitations of Claim 42.

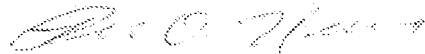
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Moreover, it is impermissible to use the claimed invention as an instruction manual or "template" to piece together the teachings of the prior art so that the claimed invention is rendered obvious. *In re Gorman*, 933 F.2d 982, 987, 18 USPQ2d 1885, 1888 (Fed.Cir.1991). See also *Interconnect Planning Corp. v. Feil*, 774 F.2d 1132, 1138, 227 USPQ 543, 547 (Fed.Cir.1985).

Furthermore, "all words in a claim must be considered in judging the patentability of that claim against the prior art." *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970). Accordingly, Claims 14, 25, 31, 32 and 42 are patentable under 35 U.S.C. § 103(a) over Gray in view of Reddy.

Claims 1, 4, 7, 11, 14, 16, 18-19, 27, 30, 33, 35-36, 41 and 44, as amended, stand allowable for the reasons set forth above. Applicants respectfully request withdrawal of the rejections and allowance of the application as the earliest possible date.

Respectfully submitted,



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